

Notice of Allowability

Application No.

08/897,713

Examiner

Sean E Vincent

Applicant(s)

BRAUER ET AL

Art Unit

1731

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to telephone interview of October 31, 2003.
2. ☒ The allowed claim(s) is/are 1-6,8-12,14-17 and 20.
3. ☐ The drawings filed on _____ are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some* c) ☐ None of the:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
* Certified copies not received: _____.
5. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
(a) ☐ The translation of the foreign language provisional application has been received.
6. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

7. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
8. ☒ CORRECTED DRAWINGS must be submitted.
(a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
1) ☐ hereto or 2) ☐ to Paper No. _____.
(b) ☐ including changes required by the proposed drawing correction filed _____, which has been approved by the Examiner.
(c) ☒ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No. _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet.

9. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|---|
| 1 <input type="checkbox"/> Notice of References Cited (PTO-892) | 2 <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3 <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 4 <input checked="" type="checkbox"/> Interview Summary (PTO-413), Paper No. _____ |
| 5 <input type="checkbox"/> Information Disclosure Statements (PTO-1449), Paper No. _____ | 6 <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 7 <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | 8 <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9 <input checked="" type="checkbox"/> Other 2 sheets proposed drawings. |

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

2. Authorization for this examiner's amendment was given in a telephone interview with Steven Hoffberg on October 31, 2003.

3. The application has been amended as follows:

In the Specification:

Amendments previously entered on December 4, 1998 in the following locations have been cancelled: page 10, line 8 after "from above."; page 10, line 12, after "3 cm" ; and page 14, after line 13.

In the Claims:

Claims 1, 3, 4, 10-12 and 14-17 have been rewritten as follows:

1. Process for producing a cylindrical component of glass, comprising:
feeding a glass composition to a heating zone,
softening the glass composition in the heating zone,
continuously plastically deforming the softened glass composition in a deformation zone to form a component, the deformation zone having a circumference,
determining a size and location of a deviation of a determined cross-sectional geometry from a nominal geometry of the component, and

locally heating or cooling the composition in at least one deformation area, which extends over only a part of the circumference of the deformation zone, wherein said local heating or cooling is performed automatically as a function of the deviation of the determined cross-sectional geometry from the nominal geometry.

3. Process as in claim 1, wherein the deformation area is locally heated by means of [one of electric heating elements, flame, and a laser beam] a furnace.

4. Process as in claim 1, wherein said deformation area is locally cooled by means [of heat shields] for shielding heat from the deformation area.

10. Apparatus for producing a cylindrical component of glass, said apparatus comprising a feed device, a heating device, and a take-off device, where [the] a glass [a] composition is fed continuously by the feed device to the heating device, in which it is softened, and where the component is formed out of the softened glass composition by means of the take-off device in a deformation zone, further comprising at least one of heating [and/or] and cooling means [(4; 19)] which act locally on at least one deformation area [(18; 18a)], which extends over only part of the circumference of the deformation zone [(14)] , and wherein the heating and cooling means [(4; 19)] are connected to an automatic control device [(9)], and, as a function of a control signal from a control device [(9)], these can be moved in the direction of the longitudinal axis of the component [(12)] and adjusted in a circumferential direction around the deformation zone [(14)].

11. Apparatus according to Claim 10, wherein the cooling means [(4;19)] comprise a gas nozzle [(5; 20)].

12. Apparatus according to Claim 10, wherein the heating means comprises [a burner] a furnace.

14. Apparatus according to Claim 10, wherein the at least one of a heating [and/or] and cooling means comprise pairs of opposing elements.

15. Apparatus according to Claim 14, wherein the cooling means [(4; 19)] comprises two nozzles [(5; 20)] arranged opposite each other.

16. Apparatus according to Claim 10, wherein the cooling means have a nozzle ring [(19),] arranged around the circumference of the deformation zone [(14)], the ring comprising individual nozzles [(20)] which are fed with gas independently.

17. Apparatus according to claim 10, wherein the at least one of heating [and/or] and cooling means [(4; 19)] are arranged inside the heating device [(1)].

Previously canceled claim 13 has been rewritten as claim 20:

20. Apparatus according to claim 10, wherein the cooling means comprises means for shielding heat from the deformation zone.

4. The following changes to the drawings have been approved by the examiner and agreed upon by applicant: Figure 5 has been deleted entirely. In figure 1, the reference numbers 101, 102, 103, 104, 105, 107 and 111 have been deleted (see enclosed marked up sheets of figure 1 and 5). In order to avoid abandonment of the application, applicant must make these above agreed upon drawing changes.

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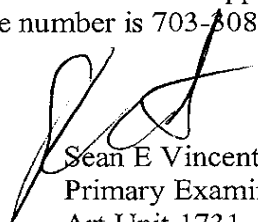
5. The following is an examiner's statement of reasons for allowance: The prior art does not teach or fairly suggest the features originally presented in claims 7 and 19 as was discussed in the office action of August 31, 1998, now incorporated into claims 1 and 10 respectively. The above amendments to the claims, specification and figures remove new matter, lack of description and indefiniteness issues. The proposed changes to figure 1 as presently shown are not considered to be new matter since very generic feeding and take-off devices are shown. The amendment to claim 4 is not considered to be new matter because "heat shields" were disclosed in the original specification. The "means for shielding" language obviates an objection to the drawings for not showing "heat shields". New claim 20 preserves the analogous claim feature in the apparatus claims as was originally presented in claim 13 (now canceled).

6. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sean E Vincent whose telephone number is 703-305-3607. The examiner can normally be reached on M - F (8:30 - 6:00).

8. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steven P Griffin can be reached on 703-308-1164. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

9. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0651.



Sean E Vincent
Primary Examiner
Art Unit 1731

S Vincent